



*The Commonwealth of Massachusetts
Center for Health Information and Analysis*

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NOTICE OF PUBLIC HEARING

Pursuant to the provisions of M.G.L. c. 12C and in accordance with M.G.L. c. 30A, as amended, the Center for Health Information and Analysis ("Center") will hold a public hearing on Wednesday, March 27, 2013 at 10:00 AM at Two Boylston Street, Boston, MA 02116 relative to the adoption of:

957 CMR 3.00: Assessment on Certain Health Care Providers and Surcharge Payors

The proposed regulation governs the procedures for assessing and collecting an assessment on certain health care providers and payors to help fund Center expenses, pursuant to M.G.L. c. 12C, § 7. Under the proposed regulation, acute hospitals ("Hospital") and ambulatory surgical centers ("ASC") will pay 50% of the Center's expenses as offset by other sources of revenue. Certain surcharge payors ("Surcharge Payors") shall pay the remaining 50% of the Center's expenses as offset by other sources of revenue. The assessment percentage for each Hospital and ASC is calculated based upon each provider's individual Gross Patient Service Revenue ("GPSR") for the applicable fiscal year divided by the total GPSR for all Hospitals and ASCs as reported for that fiscal year. The assessment liability for each Hospital and ASC is calculated by multiplying a provider's assessment percentage by 50% of applicable Center expenses. As for Surcharge Payors, only those payors that are subject to the Health Safety Net ("HSN") surcharge assessment authorized under M.G.L. c. 118E, § 68, and that make payments to Hospitals and ASCs for Health Safety Net services of at least \$1 million in the applicable fiscal year are required to pay the assessment for the Center's expenses. The assessment percentage for Surcharge Payors is calculated based upon each Surcharge Payor's total applicable payments to Hospitals and ASCs in the applicable fiscal year divided by the total of all such payments by all Surcharge Payors. The assessment liability for each Surcharge Payor is calculated by multiplying the payor's assessment percentage by 50% of the applicable Center expenses. Additionally, the proposed regulation establishes time frames to submit payments as well as reporting requirements and related deadlines for Hospitals, ASCs and Surcharge Payors to provide to the Center information required to calculate and collect the assessment.

The Center adopted the regulation on an emergency basis effective November 5, 2012, in order to comply with M.G.L. c. 12C, which established the Center as a new independent agency and directed the Center to collect the assessment. There is no fiscal impact on cities and towns. The fiscal impact on Hospitals and ASCs will depend upon the size of each provider's individual GPSR while the fiscal impact on Surcharge Payors will depend upon the size of each Surcharge Payor's total payments to Hospitals and ASCs for HSN services. Some ASCs may qualify as a small business depending upon the size of the ASC's GPSR.

Individuals that notify the Center of their intent to testify at the hearing will be afforded an earlier opportunity to speak. Speakers may notify the Center of their intention to testify at the hearing by registering online at www.mass.gov/chia/regulations. Individuals may also submit written testimony by emailing CHIA-Regulations@state.ma.us. Please submit electronic testimony as an attached Word document or as text within the body of the email with the name of the regulation in the subject line. All submissions must include the sender's full name and address. Individuals who are unable to submit testimony by email should mail written testimony to the Center for Health Information and Analysis, Two Boylston Street, Boston, MA 02116-4704. Written testimony must be submitted by 5:00 P.M. on Monday, April 8, 2013. Copies of the regulation are available for inspection and/or purchase at the Center for Health Information and Analysis or may be viewed at the Center's website at www.mass.gov/chia/regulations.